

REMARKS

I. STATUS OF CLAIMS

Claims 8, 27, 36, 41, 42 and 43 have been amended. Claims 18-43 are pending and under consideration. Applicants assert that no new matter has been added.

II. CLAIMS 18-35 AND 42-43 ARE REJECTED UNDER 35 U.S.C. 112, SECOND PARAGRAPH, AS BEING INDEFINITE FOR FAILING TO PARTICULARLY POINT OUT AND DISTINCTLY CLAIM THE SUBJECT MATTER WHICH APPLICANT REGARDS AS THE INVENTION

Claims 18-35 and 42-43 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. More specifically, the Office Action states that "it is unclear as to what applicant regards as his invention, a method for manipulating a database of words or a method of converting text to speech... [i]t is unclear how a method for conditioning a database produces synthetic speech." (Office Action, item 3).

Independent claims 18, 27 and 43 have been amended to recite "generating, from the database, individual phonemes and storing the individual phonemes in a phoneme file" (see last clause of each claim). Accordingly, the claims even more comply with 35 U.S.C. 112, second paragraph, by emphasizing that the method "generates" *from the database* individual phonemes.

Claim 42 has been amended to recite "generating, from the neural network, an output pattern having one letter corresponding to the phoneme to be assigned," and therefore, even more complies with 35 U.S.C. 112, second paragraph, by removing the allegedly indefinite language.

Accordingly, applicants respectfully assert that claims 18-35 and 42-43 are definite under 35 U.S.C. 112, second paragraph, and therefore, request the rejection be withdrawn.

In addition, in the interests of compact prosecution, applicants respectfully assert that independent claims 18, 27 and 43 are directed towards statutory subject matter under 35 U.S.C. 101. The generated phonemes are stored in a phoneme file. Therefore, the database conditioning does not remain in the abstract because a useful, concrete, and tangible result is produced in the form of a phoneme file.

III. CLAIM 42 IS REJECTED UNDER 35 U.S.C. 101 BECAUSE THE CLAIMED INVENTION IS DIRECTED TO NON-STATUTORY SUBJECT MATTER

Claim 42 has been amended to recite "a neural network causing a computer to execute a process comprising..." Accordingly, the subject matter of claim 42 falls under the "machine" category under 35 U.S.C. 101. Note that an apparatus claim with process steps is not classified as a "hybrid" claim; instead, it is simply an apparatus claim including functional limitations. (See, e.g., *R.A.C.C. Indus. v. Stun-Tech, Inc.*, 178 F.3d 1309 (Fed. Cir. 1998) (unpublished); see also Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility pg. 15, which cites this case).

Accordingly, applicants respectfully assert that claim 42 is statutory under 35 U.S.C. 101, and therefore, request the rejection be withdrawn.

IV. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

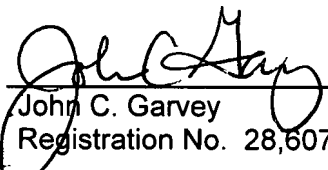
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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